



**Agenda
Harper County
Board Of County Commissioners
Harper County Courthouse**

Monday, November 18, 2019 - 9:00 a.m.

A. Call To Order

B. Pledge Of Allegiance

C. Public Comment

Citizens are encouraged to speak to items on the agenda when recognized by the Chairman. Citizen desiring to speak to matters not on the agenda may do so at this time. Comments are limited to five (5) minutes and the Commission will take no action on items not on the agenda. Items introduced under Public Comment may become agenda items at a later date.

D. Approval Of Minutes

E. Payment Of Vouchers

F. Items Of Business

1. Curt Logsdon - Road And Bridge - 9:15 A.m.

- Department Update

Documents:

[GRADER 10 28-11 1 2019.PDF](#)
[MOWER 10 28-11 1 2019.PDF](#)
[WEEKLY 10 28-11 1 2019.PDF](#)
[MOWER GRADER 11 4-8 2019.PDF](#)
[WEEKLY 11 4-8 2019.PDF](#)

2. Michelle Eshelman - Treasurer - 9:45 A.m.

- Department Update

3. Ruth Elliott - County Clerk - 10:00 A.m.

- Canvas Election Results

4. Matt Booker - Zoning Administrator - 10:15 A.m.

- Case Z-01-19 - Zone Change - Public Hearing

Documents:

[FEE RESOLUTION NO 2019-.PDF](#)

[RESOLUTION 2019-.PDF](#)
[SEVERABILITY 111819.PDF](#)
[111819 MAP.PDF](#)
[111819 BOCC REZONING REPORT.PDF](#)
[111819 BCC CHECKLIST REZONING.PDF](#)

5. Sherry Vierthaler - Health - 10:30 A.m.

- Department Update

Documents:

[RWD WATER AGREEMENT 2019 UPDATE.PDF](#)
[TRAVEL REQUEST.PDF](#)
[Z INORDINATE SPENDING AUTHORIZATION IAP 11.14.2019.PDF](#)
[11.18.2019 BOCC REQUEST FORM.PDF](#)

6. Ami DeLacerda - HR - 10:45 A.m.

- Department Update
- Professional Development Program Policy
- Job Description Updates
- EMS Transport Policy

7. Jan Harding - EMS - 11:00 A.m.

- Department Update
- Inordinate Spending Request

8. Melinda McCurley - 11:15 A.m.

- Work Session

G. Correspondence

H. Adjourn

Harper County

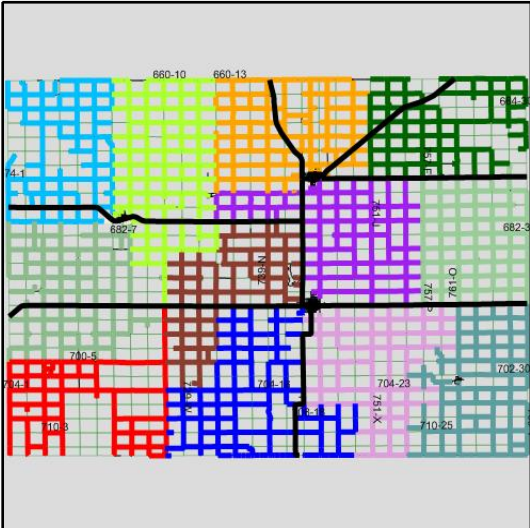
10/28/2019 11/1/2019

Job

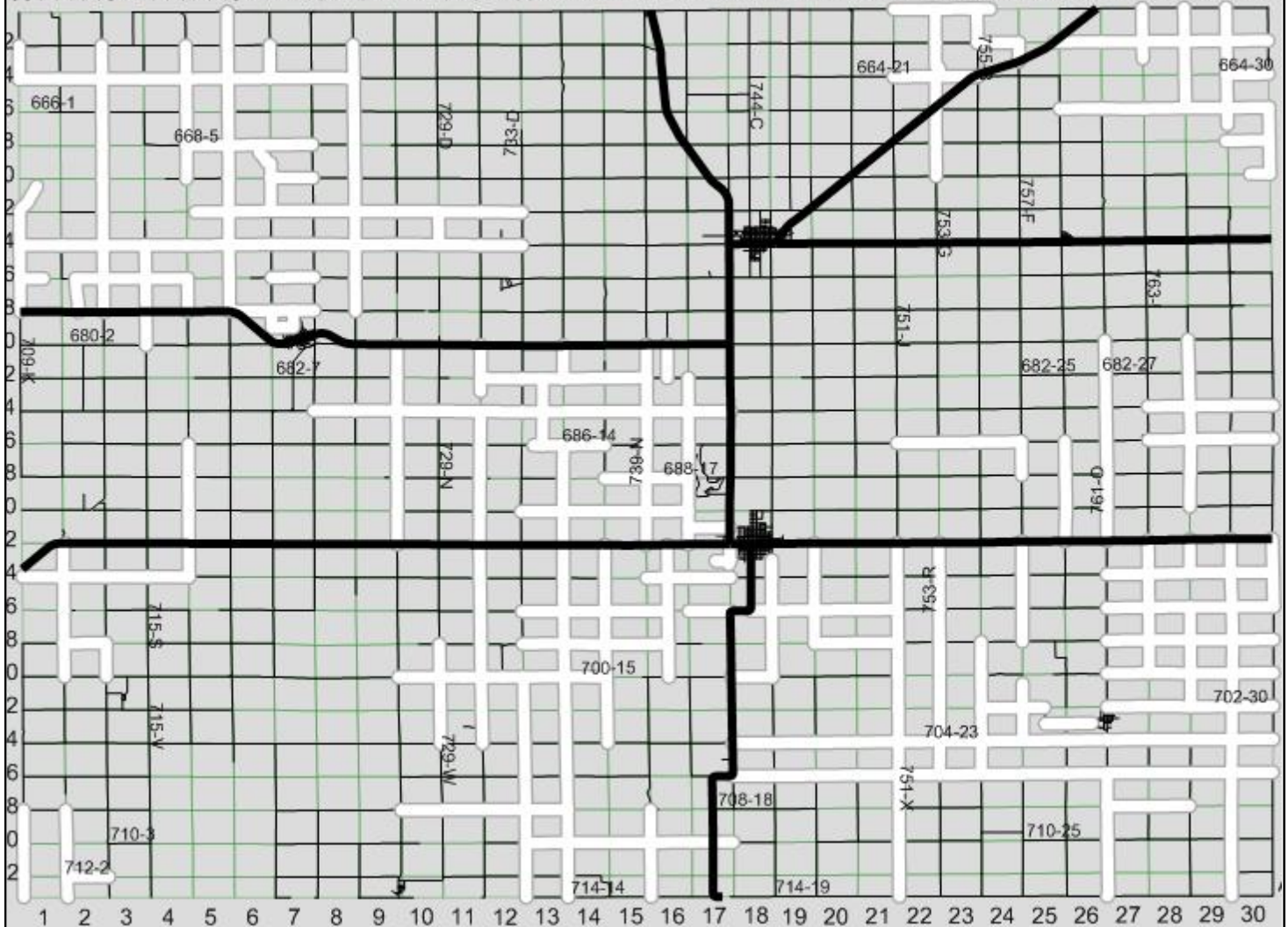
District

Fema

10 Patrol



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Harper County

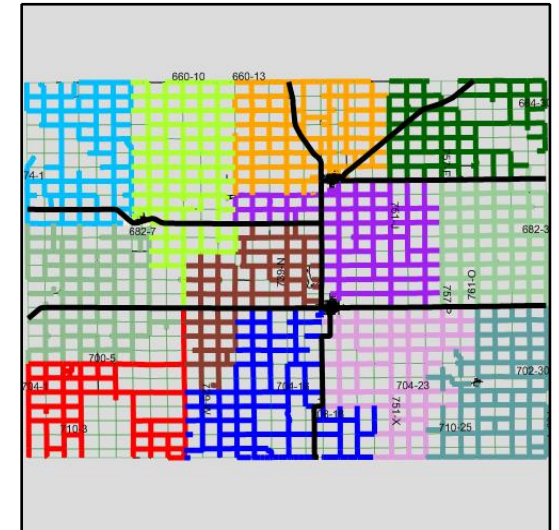
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Job

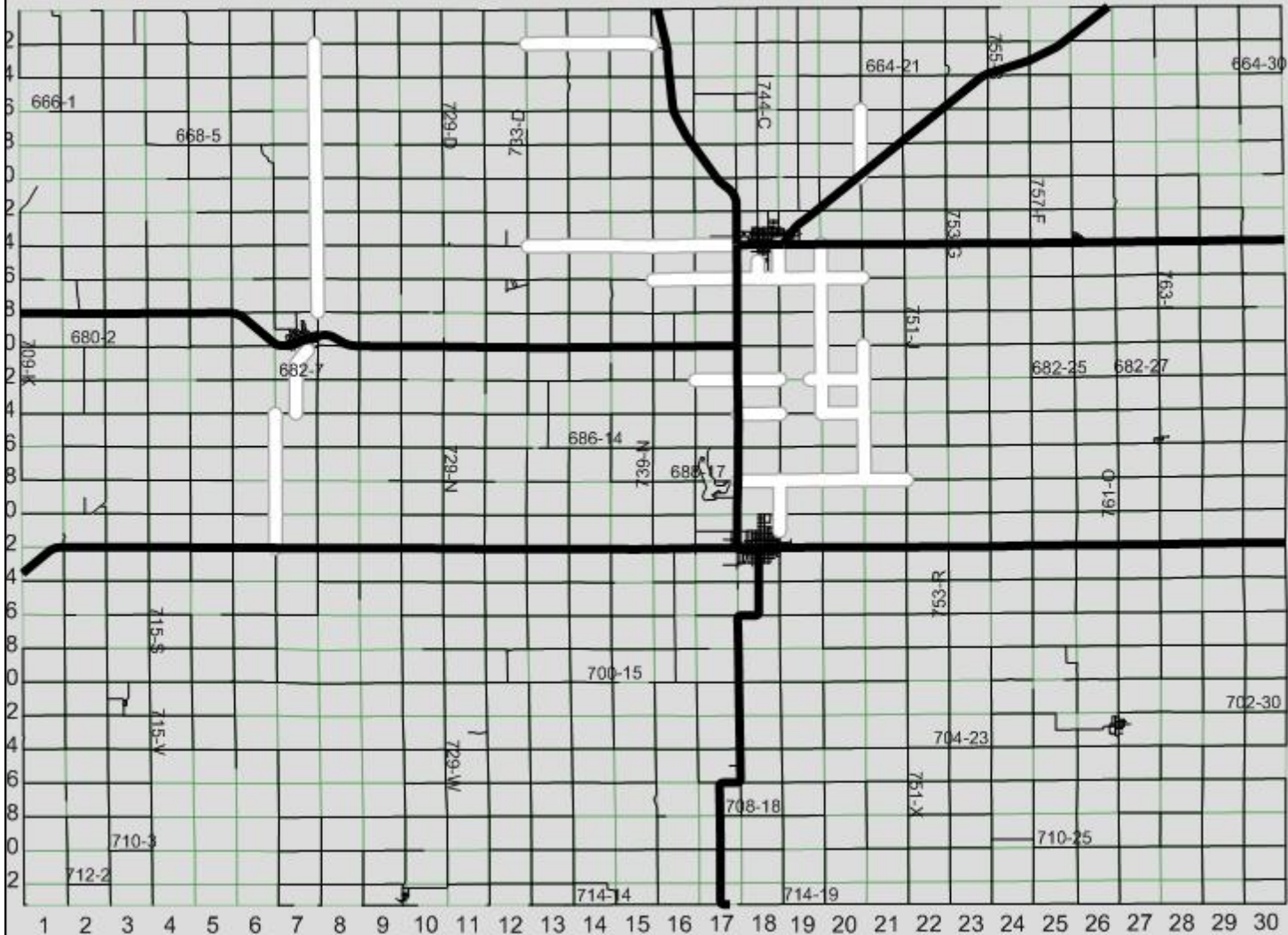
District

Fema

04 Mowing



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HARPER COUNTY ROAD & BRIDGE

Weekly County Commission Report

October 28-November 1, 2019

KENT STONEBRAKER-EAST FOREMAN

1. Excavator 635 setting a field entrance along Rd 759-N. Excavator 635 backfilling culvert on Rd 688-26. Mowing Tractor 251 mowing ditches. Dozer 627 pushing up sand at the Wimmer Pit. Graders patrolling. Trucks 217 & 305 hauling shale to entrance along Rd 759-N & culvert on Rd 688-26.
2. Dozer 627 pushing up sand at the Wimmer Pit. Excavator 635 cleaning ditches along Rd 688-27. Mowing Tractor 251 mowing ditches. Graders patrolling. Trucks 217 & 305 hauling shale to Rd's 751-T & 686-30. Trailer 677 to the Anthony Repair Shop for repairs.
3. Mowing Tractor 251 mowing ditches. Painted & fixed barricades. Fixed flat tires. Trucks 217 & 305 hauling shale to Rd's 706-22, 23 & 25, 686-30 & 751-S. Graders patrolling.
4. Mowing Tractor 251 mowing ditches. Graders patrolling. Excavator 635 working on x-pipes on Rd 714-24. Trucks 217 & 305 hauling shale to Rd's 704-27 & 686-30.
5. Truck 606 hauling Truck 124 to Wichita for repairs. Truck 606 hauling Loader 166 to the County Industrial Park. Excavator 635 setting x-pipes on Rd 714-24. Mowing Tractor 251 mowing ditches. Trucks 217 & 305 hauling free oilfield rock to Rd 714-24.

JIM THOMPSON-SHOP FOREMAN

1. #677 Trail King Trailer, brake job-all axles.
2. #677 Trail King Trailer, finished up brake job. EMS HP74, repairs to lights. #118 2006 Sterling Truck, air system problems & added air antifreeze.
3. #157 JD 670G, service job. #352 JD 6115D, removed top of cab & replaced fan resistor.
4. #605 2006 Freightliner, replaced l/h door panel.
5. #124 2015 International Truck, service call-helped load for Wichita. #190 JD Mower, service call- bring to shop for repairs.

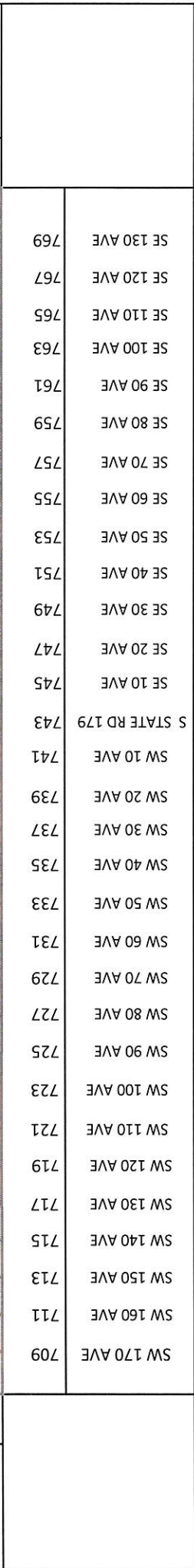
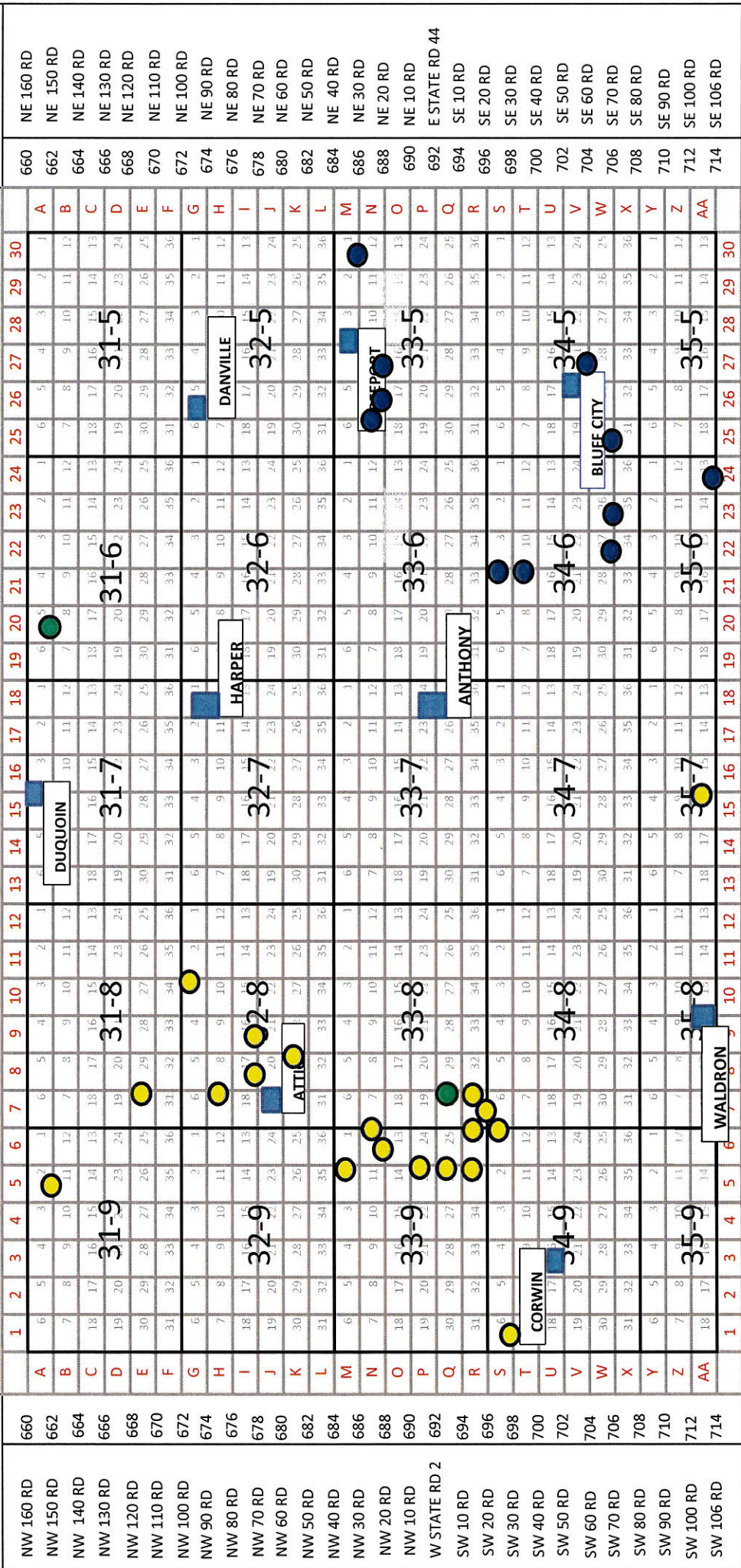
LAWRENCE SMITH-WEST FOREMAN

Hauled shale to washouts & soft spots on Rd's 723-H & R, 696-7, 688-6, 721-N, R & S, 725-K, 719-M, Q, P & R & 678-8 & 9. Mower finishing north of Attica blacktops & mowing south of Attica. Take mower to Anthony Shop for repairs to right main tire axle frame-pin broke. Loaded up Truck 124 & hauled to Wichita for repairs. Graders patrolling, spreading shale & some shoulder work. Ripped shale at the Zimmerman Pit. Set up road closed sign on Rd 698-1-vacated. Set up road closed sign on Rd 729-G-south half of road is washed out & water is going down the road. Reset downed signs on Rd's 739-AA, 723-E, 662-5 & 729-G.

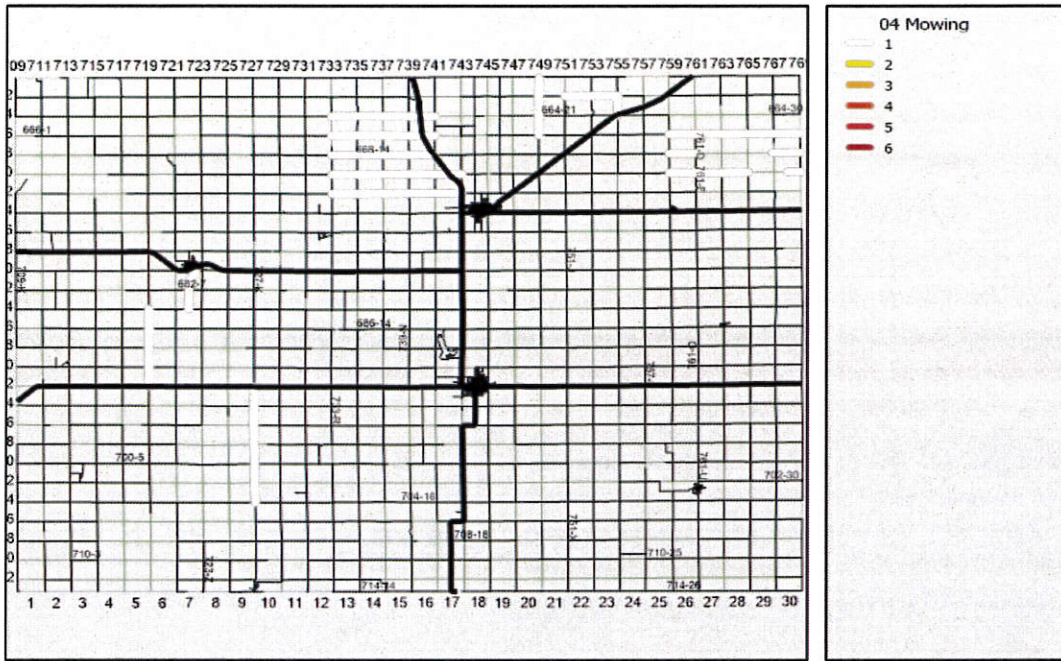
SPECIAL BRIDGE

Nail down floor boards at Bridge 662-20. Finished hub rails at Bridge 662-20. Checked barricades at Bridge 723-Q. Cleaned at shop. Built chain saw box for Pickup 682.

October 28- November 1, 2019	KENT	LAWRENCE	BRANDON
709	NW 170 AVE		
711	NW 160 AVE		
713	NW 150 AVE		
715	NW 140 AVE		
717	NW 130 AVE		
719	NW 120 AVE		
721	NW 110 AVE		
723	NW 100 AVE		
725	NW 90 AVE		
727	NW 80 AVE		
729	NW 70 AVE		
731	NW 60 AVE		
733	NW 50 AVE		
735	NW 40 AVE		
737	NW 30 AVE		
739	NW 20 AVE		
741	NW 10 AVE		
743	N HP CO AVE		
745	NE 10 AVE		
747	NE 20 AVE		
749	NE 30 AVE		
751	NE 40 AVE		
753	NE 50 AVE		
755	NE 60 AVE		
757	NE 70 AVE		
759	NE 80 AVE		
761	NE 90 AVE		
763	NE 100 AVE		
765	NE 110 AVE		
767	NE 120 AVE		
769	NE 130 AVE		



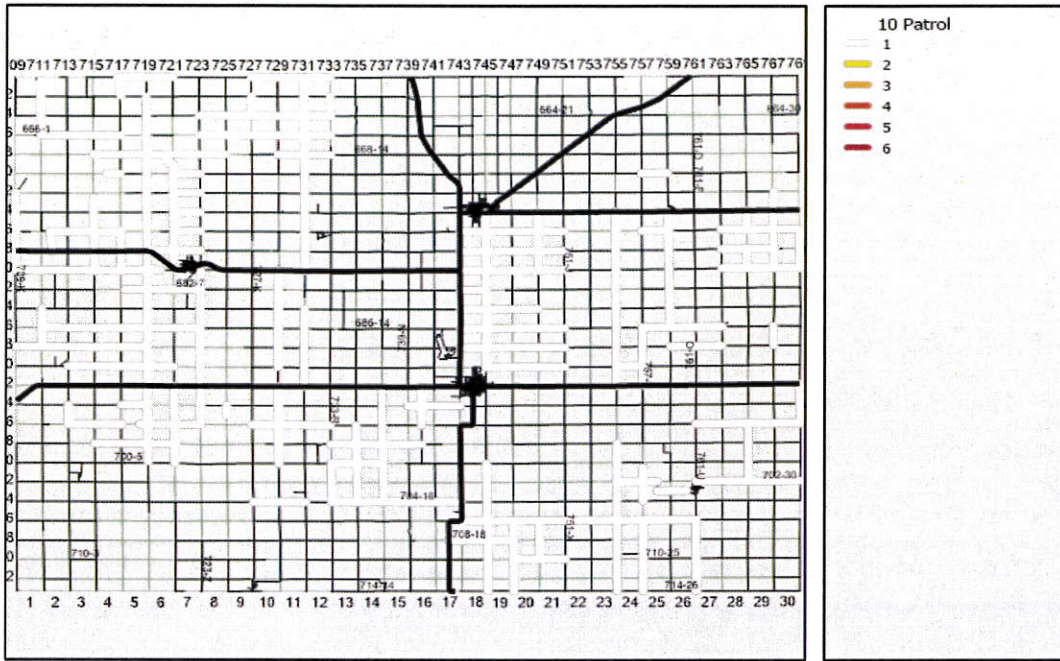
Harper County



Job District Special Project
04 Mowing

11/4-8
~~1/1/2019 11/30/2019~~

Harper County



Job
10 Patrol

District

Special Project

11/4-8

~~1/1/2019 11/30/2019~~

HARPER COUNTY ROAD & BRIDGE
Weekly County Commission Report
November 4-8, 2019

KENT STONEBRAKER-EAST FOREMAN

1. Excavator 635 setting culverts across Rd 714-24. Truck 305 hauling shale to new culverts on Rd 714-24. Excavator 635 spreading shale at new culverts on Rd 714-24. Mowing Tractor 251 mowing ditches. Graders patrolling. Truck 311 hauling extra sand from the County Industrial Park to the Harper Yard. Resetting downed signs.
2. Mowing Tractor 251 mowing ditches. Trucks 216 & 305 hauling shale to Rd 714-24. Excavator 635 setting culverts on Rd 757-AA. Grader 259 spreading shale on Rd 714-24. Graders patrolling. Truck 606 hauling Landfill Crawler 165 back to the Harper County Landfill.
3. Excavator 635 helping with repairs on Trailer 678. Dozer 627 pushing up shale at the Wencl Pit. Mowing Tractor 251 mowing ditches. Grader 256 working at the County Industrial Park. Trucks 216 & 305 hauling shale to culverts on Rd 757-AA. Graders patrolling.
4. Dozer 627 pushing up shale at the Wencl Pit. Excavator 635 backfilling new x-pipe on Rd 704-30. Mowing Tractor 352 mowing ditches. Graders patrolling. Trucks 216 & 305 hauling shale to Rd 757-U & 704-30. Resetting downed signs.
5. Dozer 627 pushing up shale at the Wencl Pit. Excavator 635 removing damaged x-pipe & setting new pipe across Rd 763-G. Mowing Tractor 251 mowing ditches. Truck 305 hauling shale to Rd 700-27. Truck 216 hauling shale to Rd 763-G. Graders patrolling. Excavator 635 knocking down beaver dam along Rd 735-O.

JIM THOMPSON-SHOP FOREMAN

1. #165 CAT 953K, service job @ 500 hours. #216 2006 Sterling Truck, repaired fuel leak. #118 2006 Sterling Truck, started on rear brake job.
2. #118 2006 Sterling Truck, finished brake job. #190 JD Mower, repair to wheel stops.
3. #678 Trail King Trailer, replacing axle #2.
4. #678 Trail King Trailer, finished up axle replacement. #352 JD 6115D, service call-replaced fuel filters.
5. #217 2006 Sterling Truck, service job @ 207,198. #217 2006 Sterling Truck, replaced a/c compressor-bearings bad.

LAWRENCE SMITH-WEST FOREMAN

Graders patrolling, spreading shale, shouldering & cleaning silt pads. Put 3 new tires on 414 Belly Dump Trailer & 2 new tires on 604 Mack Truck. Worked on light equipment repairs at shop. Mower working on South Attica Blacktop & Waldron Road. Hauling shale to washouts & soft spots on Rd 674-12. Truck 118 hauling 3 loads of concrete chunks & 3 loads of shale to large washout on west side of bridge on Rd 706-11. Reset downed signs on Rd's 739-U, 670-12, 747-X & 717-A. Move topsoil at Zimmerman Pit.

SPECIAL BRIDGE

Worked on Pickup 682. Cleaned at shop. Checked Bridge 751-M for needed repairs. Worked on Pickup 611. Moved 632 to Anthony Yard. Moved Truck 605 to Rd 704-30. Worked on piling stand. Loaded culverts. Checked Bridge 664-2 for needed repairs.

[illegible]

RESOLUTION NO. 2019-_____

A RESOLUTION ESTABLISHING A FEE SCHEDULE FOR CHARGES FOR PROCEEDINGS GOVERNED BY THE ZONING AND SUBDIVISION REGULATIONS OF HARPER COUNTY, KANSAS.

WHEREAS, Harper County has adopted Zoning Regulations and Subdivision Regulations for the County, which create the need for a fee schedule to wholly or partially defray the costs for administration and enforcement of such regulations: and

WHEREAS, the participating entity is authorized pursuant to K.S.A. 12-757(a) to establish reasonable fees to be paid in advance by the owner of any property at the time of making application for a zoning amendment: and

WHEREAS, the participating entity is authorized pursuant to K.S. A. 12-759(a) to establish a scale of reasonable fees to be paid in advance by Applicants for cases heard by the Board of Zoning Appeals: and

WHEREAS, the participating entity authorized pursuant to K.S.A. 12-752(d) to establish a scale of reasonable fees to be paid by the Applicant for each plat filed with the Harper County Planning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HARPER COUNTY, KANSAS:

Section 1. That the following fees are hereby established for the purpose of wholly or partially defraying costs for proceedings under the Zoning Regulations for amendments to zoning district classifications and for special use applications:

Amendment to Zoning District Classification.....\$250.00

Special Use Application\$275.00

Section 2. That the following fees are hereby established for the purpose of wholly or partially defraying costs of proceedings before the Harper County Board of Zoning Appeals for appeals from the determination of the Zoning Administrator, variances and conditional uses:

Appeal.....\$200.00

Variance.....\$200.00

Conditional Use.....\$200.00

If notifications have been given for an amendment to a district classification, special use application, appeal, variance or conditional use and the Applicant requests a deferral of the hearing, the Applicant will be charged the direct cost of renotification.

Section 3. That the following fees are hereby established for the purpose of wholly or partially defraying costs of administration and enforcement under the Zoning Regulations for various permits and certificates:

Zoning Permits and Occupancy Certificates *

Principal Structure or Use.....	\$75.00
Accessory Structure or Use.....	\$50.00
Sign Only.....	\$15.00
Portable Sign – 30 days or less.....	\$10.00
Portable Sign – Annual.....	\$50.00 per year or \$10.00 per month for remaining months in calendar year
Service Charge for Redeeming Illegally Placed Portable Sign.....	\$25.00
Temporary Permit.....	\$25.00
(Nonprofit Recycling Collection Center, small or large, temporary permit required, but no fee charge.)	

* When an application for a permit is concurrently made for any combination of principle, accessory or sign structures or uses, the highest fee applicable to any one of the structures or uses will apply. If a permit is not approved, the fee will be returned to the Applicant. No fee shall be charged for a governmental entity.

If there is a failure to apply for a zoning permit prior to commencing the construction, structural alteration, enlargement or moving of a structure or the establishment, change to another, extension or enlargement of a use which upon investigation would otherwise have been permitted by the Zoning Regulations, there shall be an investigation charge added to the above permit fee which triples the cost of the fee.

Section 4. That the following fees are hereby established for the purpose of wholly or partially defraying costs of proceedings under the Subdivision Regulations for applications pertaining to platting:

Sketch Plan.....	No Charge
Preliminary Plat and Final Replat.....	\$50.00 plus \$2.00 for each lot over one

Final Plat for Small Tract.....	\$50.00 plus \$2.00 for each lot over one
Final Plat.....	No Charge
Lot Split.....	\$10.00
Correction of Platting Error.....	Engineering costs and recording fee for affidavit
Vacation of a Street, Alley, Public Easement or.....	\$100.00
Public Reservation (Building setback line, access control, etc.)	

The cost of recording documents, publications, writs, engineering costs and inspections are payable in addition to filing fees. These, if any, will be billed to the Applicant.

No fee shall be required when a proposed plat or lot split is submitted by any governmental entity.

Section 5. That no part of the fees in Sections 1-4 shall be refunded after payment is made with filing an application except when a zoning permit is not approved by the Zoning Administrator in Section 3. A written receipt shall be issued by the County to the person making the payment and records thereof shall be kept in such manner as prescribed by law.

Section 6. That the foregoing fees shall become effective on November 19, 2019.

PASSED AND APPROVED BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS, HARPER COUNTY, KANSAS, this 18th day of November, 2019.

(SEAL)

Brian Waldschmidt, Chairman

Lee Adams, Commissioner

ATTEST:

Ruth A. Elliott, County Clerk

Carla Pence, Commissioner

(Published once in The Attica independent on November 28, 2019)

RESOLUTION NO. 2019-____

A RESOLUTION CHANGING THE ZONING DISTRICT CLASSIFICATION OF CERTAIN LANDS LOCATED IN THE UNINCORPORATED AREA OF HARPER COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE COUNTY AS ORIGINALLY APPROVED BY RESOLUTION NO. 2019-13.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HARPER COUNTY, KS:

SECTION 1. That having received a recommendation from the Harper County Planning Commission on Case No. Z-01-19, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of the Zoning Regulations of Harper County of Kansas as originally approved by Resolution No. 2019-13, the zoning district classification of the lands legally described herein are changed as follows:

Change of zoning district classification from the A-2 Agricultural District to the A-1 Agricultural District.

Legal Description: SE4 of Section 9, Township 31, Range 6, Harper County, Kansas.

General Location: At the NW corner of the intersection of NE 40 Ave. and NE 140 Rd., rural Harper County, KS.

SECTION 2. That upon the taking effect of this Resolution, the above zoning change shall be entered and shown on the Official Zoning Map as previously adopted by reference and said map is hereby reincorporated as a part of the Zoning Regulations as amended.

SECTION 3. That this Resolution shall take effect and be in force from and after its adoption and publication once in the official county newspaper.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF HARPER COUNTY, KANSAS ON November 18, 2019

ATTEST: (Seal)

Brian Waldschmidt, Chairman

Lee Adams, Commissioner

Ruth A. Elliott, County Clerk

Carla Pence, Commissioner

ARTICLE 12. SEVERABILITY AND EFFECTIVE DATE

100 Severability. If any provisions of these regulations are held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, then such provisions shall be considered separately and apart from the remaining provisions of these regulations, so as to be completely severable and the remaining provisions of these regulations shall remain in full force and effect.

101 Effective Date. These regulations shall be in full force and effect from and after their adoption by the Planning Board, approval by the Governing Body and adoption of a resolution incorporating these regulations by reference, and publication of such resolution in the respective official County newspaper.

ADOPTED by the Harper County Planning Board on August 20, 2019.



Steve D. Bellesine, Chairperson

ATTEST:



Jackie M. Keim, Secretary

APPROVED AND ADOPTED by the Board of County Commissioners of Harper County, Kansas on August 26, 2019.

Brian Waldschmidt, Chair

Carla Pence, Commissioner

(SEAL)

Lee Adams, Commissioner

ATTEST:

Ruth Elliott, County Clerk

Adopted by Resolution No. 2019-13 by the Board of County Commissioners of Harper County, Kansas on August 26, 2019, officially published in The Attica Independent on September 12, 2019 and Zoning Regulations effective on September 12, 2019.

REVISED REZONING REPORT *

CASE NUMBER: Z-01-19

APPLICANT: Harper County

AGENT: AEP Partners

REQUEST: Proposed change of zoning district classification from the A-2 Agricultural District to the A-1 Agricultural District to accommodate additional acres for a previously approved Commercial Wind Energy Project.

CASE HISTORY: Case Z-01-2016 was heard by the Planning Board on October 25, 2016 and approved by Resolution 2016-12 by the Board of County Commissioners on November 14, 2016.

LOCATION: SE4 of Section 9, Township 31, Range 6, Harper County, Kansas

SITE SIZE: 158.70 acres more or less

PROPOSED USE: Additional leased land for construction of a Commercial Wind Energy Project

ADJACENT ZONING AND EXISTING LAND USE:

North: A-2 Agricultural District – Agricultural land

South: A-1 Agricultural District – Agricultural land

East: A-1 Agricultural District – Agricultural land

West: A-1 Agricultural District – Agricultural land

* **NOTE:** This report is to assist the Planning Commission to determine their findings from the evidence presented at the hearing so as to base their rezoning recommendation on the required 17 factors found in Section 11-100 H of the Zoning Regulations. The responses initially provided need to be evaluated with the evidence and reworded as necessary to reflect the Commission's considered opinion. Conditions attached to the motion, if any, should be carefully worded to provide instructions to the applicant and facilitate enforcement by the Zoning Administrator. A copy of the report should be provided to the applicant before the hearing. The completed report can be included within the minutes following the statutory required summary of the hearing or attached thereto. The minutes and report should be forwarded to the Governing Body within 14 days to serve as a basis for their decision.

BACKGROUND INFORMATION:

This property is located in an area that is designated for the Flat Ridge 4 project. Cases Z-01-2016 and CU-02-2016 were approved by the County Commission in which land in the surrounding area was rezoned and a Conditional Use granted to allow the development of a Commercial Wind Energy Project (CWEP).

(See attached aerial photo.)

FACTORS AND FINDINGS:**

1. What are the existing uses of property and their character and condition on the subject property and in the surrounding neighborhood? ***(See existing land use on page 1 of 4.)***

This area primarily consists of agricultural use for crops and pastures for livestock, with sporadic rural residences.

2. What is the current zoning of the subject property and that of the surrounding neighborhood in relationship to the requested change in zoning classification?

> *A-2 Agricultural District. The surrounding area is zoned as A-1 Agricultural District to accommodate the CWEP.*

3. Is the length of time that the subject property has remained undeveloped or vacant as zoned a factor in the consideration for a change in zoning?

> *No.*

4. Would the requested change in zoning correct an error in the application of these regulations as applied to the subject property?

> *No.*

5. Is the change in zoning requested because of changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?

> *It will be an extension of the existing Wind Project.*

**** NOTE:** Of those factors considered as relevant to the requested change in zoning district classification or boundary, not all factors need to be given equal consideration by the Commission in deciding upon its recommendation.

6. Do adequate sewage disposal and water supply and all other necessary public facilities including road or street access exist or can they be provided to serve the uses that would be permitted on the subject property if the change in zoning was approved?

> ***On-site sewage disposal and water supply will be necessary for any construction and maintenance buildings meeting the County Sanitary Code. A Road Use and Maintenance Agreement with the County will be necessary for adequate road access during and after development.***

7. Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, access control or building setback lines if the change in zoning was approved?

> ***No, due to the nature of the development and no division of land, platting is not required.***

8. Would a screening plan be necessary for existing and/or potential uses of the subject property if the change in zoning was approved?

> ***Screening is not feasible for the project; however, setbacks for the turbines from dwellings and roadways provide buffer areas.***

9. Is the general amount of suitable vacant land or buildings available or not available for development that currently has the same zoning district classification as is requested for the subject property?

This is an extension of the initial CWEP to the west which includes over 45 square miles.

10. In the event that the subject property is requested for business or industrial uses, are such uses needed to provide more services or employment opportunities?

> ***This project would continue economic development growth for the area, creating temporary jobs and permanent jobs for the county area. Landowners receive royalties and lease payments.***

11. Is the subject property suitable for the current zoning to which it has been restricted?

> ***Yes, it could continue as agriculture land use.***

12. To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?
- > ***While there will be considerable traffic and transport of heavy equipment and construction noise during development of the proposed project, the criteria for a CWEP should minimize the on-going environmental effects on the leaseholders and the non-leaseholders.***
13. Would the change in zoning as requested be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?
- > ***Yes, by rezoning to the A-1 Agricultural District, it would permit the project for a CWEP to move forward in development.***
14. Is the request for the zoning change in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?
- > ***Rezoning from the A-2 to the A-1 Agricultural District enhances the goods in Chapter 3 and the Future Land Use Policy in Chapter 8 by raising the standards to preserve agricultural land in the Comprehensive Development Plan for the Unincorporated Area of Harper County, Kansas: 2003-2020.***
15. What is the nature of the support or opposition to the requested change in zoning?
- > ***No public was present.***
16. Are there any informational materials or recommendations available from professional persons knowledgeable on this request which would be helpful in its evaluation?
- > ***It appears to be a logical extension of the larger CWEP to the west.***
17. Does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the requested change in zoning?
- > ***The non-leaseholders outside the subject property area would be environmentally affected in a minimal way after construction is completed, however, the Applicant/Agent would experience a severe hardship in locating a comparable extension of their project site.***

CONDITIONS: (Determine conditions, if any, applicable to the case with rewording if necessary and add additional conditions as deemed desirable.)

1.

cc: Applicant
Agent

HARPER COUNTY BOARD OF COUNTY COMMISSIONERS

CHECK LIST FOR CONSIDERATION OF A REZONING CASE

PURPOSE:

This check list is to assist: (1) the Chairman in conducting the discussion and decision on a rezoning case; (2) the County Clerk in an orderly process of minute taking; (3) the Applicant in presenting any new information; and (4) any persons who have new information or wish to know their rights in the matter. Although the order of the outline should be followed, the material will need to be modified to relate to the particular case. This check list is in keeping with the procedures in K.S.A. 12-757(c), (d) and (e) and the decision in Houston v. Board of (Wichita) City Commissioners, 218 Kan. 323 (1975). The latter determined that:

"Where the statutory requirements are fully met (Ed: Notice and public hearing) and a full and complete record of the substance of the planning commission proceedings is before the governing body, due process does not require the governing body to conduct a second public hearing on the advisability of the proposed change." (Syllabus)

CALL AGENDA ITEM:

I call Agenda item # ____ which is on Case No. Z-01-19. This is for a rezoning amendment requesting a change from the present A-2 Agricultural District to the A-1 Agricultural District.

DISQUALIFICATION DECLARED AND QUORUM DETERMINED:

Before we proceed, I'll ask the Board if any of them intend to disqualify themselves from participating in this case because they have conflict of interest. (Please let the minutes show that ____ has disqualified himself/herself because

_____ and has temporarily disassociated himself/herself from our Board.) We have a quorum of ____ present for the consideration of the case.

PROTEST PETITIONS:

Has the County Clerk received any protest petitions on the case? (If **no**, proceed to next item.) (If **yes**) Do they constitute the statutory required 20% necessitating a 3/4 vote of the Board to approve the case? (If **yes**) Having determined that a valid protest petition has been submitted to the Clerk, I would remind the Board that a unanimous vote is necessary to approve the case.

COMMUNICATIONS:

Did the Planning Commission receive any comments from a city on this case? (If **no**, proceed to next item.) (If **yes**, discuss as deemed desirable.) Are there any other communications to consider on this matter other than from our Planning Commission? (Read and discuss as deemed desirable.)

SUMMARY OF HEARING:

I ask the Board members if they have all received copies of the unapproved Minutes of the Planning Commission for October 22, 2019 which summarizes their hearing on this case. (If **no**, consider a motion to continue the agenda item until the minutes will be available.) (If **yes**) Having determined that the members have received the required information, I am going to call on the Zoning Administrator for a report and then ask the Applicant and any members of the public who wish to speak on this case to confine their presentation to new information not otherwise presented at the hearing. The Board may also want to direct questions to the Applicant, the staff or other persons present.

ZONING ADMINISTRATOR'S REPORT:

I call on our Zoning Administrator, Matthew Booker to provide us with a report on the case and recommendation of the Planning Commission. (See Rezoning Report.)

Thank you for your presentation. Are there any questions for the Zoning Administrator from the Board members?

APPLICANT'S PRESENTATION:

Does the Applicant wish to present any new information?

Thank you for your information. Are there any questions to the Applicant from Board members?

PUBLIC COMMENTS:

Does anyone from the public wish to respond to the Applicant's information or provide any new information? Please come to the podium and give your name and address.

Do any of the Board members have a question for the public presenter?

APPLICANT'S RESPONSE:

Does the Applicant have any further responses to the public comments?
Are there any Board questions?

BOARD DELIBERATION:

Assuming the Board has received all the information they need on this case, you have received an outline of choices provided under the state statutes for Board action: (K.S.A. 12-757[c]) How do you wish to act?

- (Recommendation to approve.)
- (1) Move to adopt the findings and factors and recommendation of the Planning Commission on Case No. Z-01-19 and to **approve** Resolution No. 2019-
(Majority vote needed.) *
- (Recommendation to disapprove.)
- (2) Move to adopt the findings and factors and recommendation of the Planning Commission to **disapprove** Case No. Z-01-19. (Majority vote needed.)
- (Recommendation to approve.)
- (3) Move to **override** the Planning Commission's recommendation, **approve** Case No. Z-01-19., **amend** in detail the findings and factors supporting the motion in the Rezoning Report, **attach appropriate conditions**, if any, and approve Resolution No. 2019-. (2/3 Majority vote needed.)*
- (Recommendation to disapprove.)
- (4) Move to **override** the Planning Commission's recommendation, **disapprove** Case No. Z-01-19 and amend in detail the findings and factors supporting the motion in the Rezoning Report. (2/3 Majority vote needed.) *
- (5) Move to **return the recommendation** to the Planning Commission on Case No. Z-01-19 **for further consideration** at its next regular meeting with a statement specifying the basis for the Board's concerns whether to approve or disapprove the recommendation. **
- (6) Move to **table** Case No. Z-01-19 until _____, 20____ at ____:
(a.m., p.m.) in this same meeting room for more (information) (and) (study)
in regard to
(Majority vote needed.)

- * **(Note:** If a valid protest petition is determined, a unanimous vote will be needed to approve the case.)

- ** **(Note:** If the Board returns the Planning Commission's recommendation, the Planning Commission, after considering the same, may resubmit its original recommendation giving the reasons therefore or submit a new and amended recommendation. Upon the receipt of such recommendation, the Board, by a simple majority thereof, may adopt or may revise or amend and adopt such recommendation by resolution, or it need take no further action thereon. If the Planning Commission fails to deliver its recommendation to the Board following the Planning Commission's next regular meeting after receipt of the Board's report, the Board shall consider such course of inaction on the part of the Planning Commission as a resubmission of the original recommendation and proceed accordingly. In either circumstance, the Board may take any action they desire by majority vote unless legal protest petitions are received which would necessitate a 3/4 vote, i.e., a unanimous vote to approve the case.)

CLOSING REMARKS:

(For approval)

Persons aggrieved by the final decision of the Board on this matter have 30 days after the effectuating resolution is published within which to appeal to District Court.

(For disapproval)

Persons aggrieved by the final decision of the Board on this matter have 30 days after today's action within which to appeal to District Court.

Thank you for participating in this matter.

I call for Agenda item #_____.

INTERLOCAL AGREEMENT

This contract is made and entered into this 30 day of December 2019, between the Harper County Board of Health (County) and the Rural Water District #2 (District), witness that:

The parties mutually agree as follows:

1. **Term.** The term of this contract is from December 30, 2019, through December 31, 2021. This contract shall automatically renew on a year-to-year basis, for up to (2) successive years, unless a written termination notice is given to either party by the other at least 30 days prior to the end of the contract year. For purposes of this contract, the phrase “contract year” shall mean the initial term of this contract or any renewal thereof. Under no circumstances shall this contract continue in force after December 31, 2021. Provided however, that either party may terminate this contract at any time by giving a 30-day written notice to the other party.
2. **Compensation.** For water sample specimen pick up from the Harper County Health Department Office and delivery to KDHE/Forbes/Topeka weekly as needed on Wednesdays, the District shall pay the County at the rate of \$13.00 per month/\$156.00 per year. An annual invoice will be mailed by the County in January for the coming year. Terms are net 15.
3. **County Services, Duties and Responsibilities.** For compensation hereinabove set forth and during the term of this contract, County shall maintain a contract with MetroCourier, Inc., or a similar provider, for the weekly pick-up of specimens and delivery to the KDHE lab.
4. **District Services, Duties, and Responsibilities.** The District shall collect water sample specimens and deliver them to the Harper County Health Department on Wednesdays prior to MetroCourier, Inc., pick-up schedule.
5. **Liability Insurance.** Each party shall maintain such general and professional liability insurance as it deems appropriate or as required by law, to cover the acts and omission of its own employees, and neither party shall be responsible for the acts or omissions of the other party’s employees.
6. **Records.** All records concerning specimen pick-ups shall belong to and remain the property of the Harper County Health Department, but the District is entitled to copies of the shipping records upon request.
7. **Construction.** This agreement shall be governed by the laws of the state of Kansas. Any waiver of any breach of this agreement shall not operate or be construed as a waiver of any subsequent breach.
8. **Entire Agreement.** This contract constitutes the entire agreement between the parties and supersedes all previous communications, representations or agreements, either verbal or written, between the parties with respect to the subject matter hereof and there shall be no amendment or modification of this contract, except in writing signed by the parties.
9. **Binding Effect/Assignability:** This contract shall be binding upon the parties, and their respective successors. This contract shall not be assignable.

In witness whereof, the parties have signed duplicate originals of this contract.

Date: _____

Harper County Board of County Commissioners
Harper County Board of Health

Lee Adams, Vice-Chairman

Attest: _____

Harper County Clerk

Date: _____

Rural Water District #2

Brian Waldschmidt, Manager

Attest: _____

Secretary

**TRAVEL REQUEST AND REIMBURSEMENT FORM
HARPER COUNTY, KANSAS**

Employee Name: Terese Goetz, RN; Heather Stoubte Department: Harper County Health Dept./HCHHA
3rd RN

PART I - TRAVEL REQUEST

Destination: Hutchinson

Purpose / Justification of Travel: Required WIC BF Training
if available

Method of Travel (mark one) ☒ County Vehicle ☐ Bus ☐ Air
☐ Train ☐ Private Auto ☐ Other

Date of Departure: 3/4/2020 Date of Return: 3/4/2020 Are funds budgeted for this request? Yes ☒ No ☐

Budget line: 0% 008 301054
 Must = 100% #1: 44 - 301054 %: 100 #2: %: #3: %

Sherry V. Vetter
 Department Head Signature

10/31/2019
 Date

County Commissioner Signature

Date

PART II - EXPENSE REPORT

Expense Category		Estimated Total	Actual Total
A. Lodging for days at \$ per day		\$	\$
B. Transportation for <u>144</u> miles at current rate per mile			
Fare \$ <u>144 x .58 =</u>		\$ <u>83.52</u>	\$
Meals (Number of):	Total	\$	\$
Breakfasts: meals @ per meal.	\$	\$	\$
Lunches: meals @ per meal.	\$	\$	\$
Dinners: meals @ per meal.	\$	\$	\$
C. Fees (Registration, Dues, etc.) ITEMIZED			
List:	<u>110 x 2</u>	\$ <u>220.00</u>	\$
D. Miscellaneous (Taxi, Telephone, Tolls, etc.) ITEMIZED			
List:		\$	\$
RECEIPTS MUST BE ATTACHED FOR APPROVAL		TOTALS:	\$ <u>303.52</u>

Instructions:
Prior to Travel:
 Employee completes PART-I and Estimate portion of PART II. Department Head and County Administrator must sign under PART-I to approve travel.
Post Travel:
 Requesting Employee completes Actual PART-II and submits to Department Head for approval with receipts to be vouched for next accounts payable.

PART III - OFFICE USE ONLY

A. Prepaid Registration
 B. Prepaid Travel Reservations
 C. Other

Reconciliation

Requesting Employee Statement: I certify this actual expense incurred and was accomplished in accordance with the travel authorization and the information hereon is correct.

Requesting Employee Signature

Department Head Approval Signature

Copies: Original to personnel file - Copy to HR - Copy to Department Head

Breastfeeding Basics*

presented by



Kansas
Breastfeeding
Coalition, Inc.



IABLE
Institute for the Advancement
of Breastfeeding &
Lactation Education

Wednesday, March 4, 2020

8:30 AM - 5:00 PM

Location:

Hutchinson Regional Medical Center

1701 E 23rd Ave.

Hutchinson, KS 67502

Register at <https://lacted.org/product/hutchinson202003>

Cost: \$110.00

Participants Will Be Able to Meet the Following Learning Outcome:

Attendees will demonstrate basic breastfeeding knowledge through evidence-based care of common breastfeeding questions and concerns, including protection of breastfeeding when referring for advance lactation support.

Continuing Education Credits

Nurses (RN/APRN/LPN)

Breastfeeding Basics course is approved for 6.25 nursing contact hours by the University of Kansas Health System, an accredited provider of continuing nursing education by the American Nurses Credentialing Center's Commission on Accreditation. To receive credit you must attend the program in its entirety and complete the online program evaluation provided by the University of Kansas Health System.

Lactation Support Providers (IBCLC/CLC)

Breastfeeding Basics course has been allocated 6.5 (L) Continuing Education Recognition Points (CERPs) by the International Board of Lactation Consultant Examiners (IBLCE). Approval # CLT117-04. IABLE is an approved Long-Term Provider by IBCLC.

Dietitians (RD)

Breastfeeding Basics course has been approved for 7.5 continuing education clock hours for Kansas licensed dietitians by the Kansas Department for Aging and Disability Services. Long-Term Sponsorship number: D1382 (LTS is KDHE-BFH Nutrition and WIC Services)

Evaluation and Completion Certificate

You will receive a link to an online evaluation survey from the KBC within 24 hours of completion of the course. Your certificate of completion will be available to download at the end of the evaluation survey. You will have two weeks after the course to complete the evaluation and access your certificate.

This is the ONLY way to obtain a certificate of completion.

Nurses – you will receive an *additional* online evaluation survey from the University of Kansas Hospital System. Upon completion of this survey, you will be able to download your certificate of completion with nursing contact hours.

This training program is beneficial for RNs, medical office staff, physicians and other providers, pharmacists, public health nurses, doulas, midwives, home visitors, WIC peer educators, nutritionists, LLL leaders, health professionals, students and others who help mothers breastfeed.



Inordinate Spending Authorization
(For items above spending limits but within budgets.)

Department: Health

Date: 11/14/2019

Requestor: Administrator

Item description: Vaccines from Pfizer - Pneumonia PCV13
Cost Per Item: \$189.01 **Quantity:** 20 **Extended Cost:** \$3,780.26

Item description: Vaccines from MERCK - Pneumonia PPSV23
Cost Per Item: \$103.09 **Quantity:** 20 **Extended Cost:** \$2,061.80

Item description: Vaccines from GSK - Tdap
Cost Per Item: \$35.75 **Quantity:** 10 **Extended Cost:** \$357.50

Item description: Vaccines from GSK - Shingrix
Cost Per Item: \$144.06 **Quantity:** 10 **Extended Cost:** \$1,440.60

Related expenses (eg. Shipping & Handling): _____
Total Requested Spending: \$7,640.16

Budget Account(s):	Fund		Dept		Object	Amount
	008	/	24	/	306238	\$ 3,780.26
	008	/	24	/	306238	\$ 2,061.80
	008	/	24	/	306237	\$ 357.50
	008	/	24	/	306237	\$ 1,440.60
	Total budget lines:					<u>\$ 7,640.16</u>

Project description/justification:

Estimate of vaccine needs. Will only order as needed to reduce potential for vaccine wastage.

Attach required quotes and additional documentation as needed.

Approved Date: _____

BoCC Signature: _____



HARPER COUNTY

REQUEST FOR COUNTY BOARD ACTION

Items *must* be received in the Administrator's Office by *12:00 Noon* on the *Thursday* prior to the scheduled meeting to be considered.

Item #: _____
(Assigned by Administrator)

Meeting Date: November 18, 2019

Department: Public Health

**Item Requested: Employee update; Travel Request, Interlocal Agreement
RWD#2; Inordinate Spending Authorization**

Summary of the Issue: Renewal of interlocal agreement with the RWD for shared costs/services for submission of water tests/lab testing through the Metro Courier Service.

Background: This agreement has been in place since 2009 and renewed on a two-year basis.

Funding: No effect on agency funding.

Recommendation: Renew agreement as proposed.

Other Items:

- Inordinate Spending Authorization Request
- Travel Request Form
- Employee updates